

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

RODNEY LEDLOW,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 2:08-CV-269-WKW
)	(WO)
STATE OF ALABAMA, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

On April 28, 2008, the Magistrate Judge entered a Recommendation (Doc. # 6) that Plaintiff's claims against the State of Alabama, Alabama Board of Pardons and Paroles, and Alabama Attorney General's Office be dismissed with prejudice prior to service of process; that these Defendants be dismissed as parties to the action; and that Plaintiff's remaining claims against Attorney General Troy King be referred back to the Magistrate Judge. The Plaintiff filed an Objection (Doc. # 7) in which he objected to the court dismissing his complaint as frivolous. However, the Recommendation did not dismiss the whole complaint but instead dismissed claims against three parties who are not subject to suit or liability under § 1983. Because the Plaintiff's claims against Attorney General Troy King remain, the court finds that the Objection is due to be overruled.

After an independent and de novo review of the record, it is the ORDER, JUDGMENT and DECREE of the Court that:

1. The Objection (Doc. # 7) filed by the Plaintiff is OVERRULED;

2. The Recommendation (Doc. # 6) of the Magistrate Judge is ADOPTED;
3. Plaintiff's claims against the State of Alabama, the Alabama Board of Pardons and Paroles, and the Alabama Attorney General's Office are DISMISSED with prejudice prior to service of process under 28 U.S.C. § 1915(e)(2)(B)(I);
4. The State of Alabama, Alabama Board of Pardons and paroles, and Alabama Attorney General's Office are DISMISSED as parties to this cause of action;
5. This case is REFERRED back to the Magistrate Judge for further proceedings.

DONE this 21st day of May, 2008.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE